

Chapter 12
Public Nuisances

12.06 Abatement of Public Nuisances

(1) INSPECTION OF PREMISES. Whenever complaint is made to the Mayor that a public nuisance exists within the City, he shall promptly notify the Chief of Police, Health Department or Building Inspector, who shall immediately inspect or cause to be inspected the premises and shall make a written report of his findings to the Mayor. Whenever practicable, the inspecting officer shall cause photographs to be made of the premises and shall file the same in the office of the City Clerk.

(2) NOTICE AND DEMAND TO OWNER. If the inspecting officer shall determine that a public nuisance exists on private property and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Mayor may direct the Chief of Police to serve notice on the owner or, if the owner cannot be found, on the occupant or person causing, permitting or maintaining such nuisance and to post a copy of such notice on the premises. Such notice shall direct the owner, occupant or person causing, permitting or maintaining such nuisance to abate or remove such nuisance within 24 hours and shall state that unless such nuisance is so abated, the City will cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the same, as the case may be.

(3) ABATEMENT BY THE CITY. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the Health Department in case of health nuisances, or the Chief of Police in other cases, shall cause the abatement or removal of such public nuisance.

(4) ABATEMENT BY COURT ACTION. (Am. #42-95) If the inspecting officer shall determine that a public nuisance exists on private premises, but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, he shall file a written report of his findings with the Mayor, who shall cause an action to abate such nuisance to be commenced in the name of the City in the Circuit Court of Waukesha County in accordance with Chapter 823, Wis. Stats., and any amendments thereto.

(5) OTHER METHODS NOT EXCLUDED. Nothing in this chapter shall prohibit the abatement of public nuisances by the City or its officials in accordance with the laws of the State.

(6) COST OF ABATEMENT. In addition to any other penalty for the erection, contrivance, creation, continuance or maintenance of a public nuisance, the cost of abating a public nuisance by the City shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as other special taxes.

Chapter 12
Public Nuisances

12.06 Abatement of Public Nuisances

WAUKESHA MUNICIPAL CODE 03/04/98